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## FACSIMILE TRANSMITTAL

**TO:** Examiner David C. Payne  
**COMPANY:** U.S. Patent and Trademark Office  
**FAX NO.:** 703-872-9306

**FROM:** Jessica Smith  
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**DATE:** October 11, 2004  
**TOTAL PAGES (incl. cover)** 12

Serial No: 09/648,019  
Attorney Docket No.: 135661

I hereby certify that the following documents are being transmitted via facsimile to the U.S. Patent and Trademark Office on October 11, 2004.

1. Facsimilie Transmittal (1 page)
2. Amendment Under 37 C.F.R. 1.116 (11 pages)

  
Jessica Smith

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Reply Under 37 C.F.R. § 1.116 – Expedited Procedure

Serial No.: 09/648,019

Examiner: David C. Payne

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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OCT 11 2004

Applicant(s): Kenneth Y. Maxham      Docket: 135661  
Serial No.: 09/648,019      Art Unit: 2633  
Filed: August 25, 2000      Examiner: David C. Payne  
Title: Safety Shutdown System for a WDM Fiber Optic Communications Network

AMENDMENT UNDER 37 C.F.R. § 1.116

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## Certificate Under 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being transmitted via facsimile to the U.S. Patent Office to 703-872-9306, Attention Examiner David C. Payne, on October 11, 2004 in accordance with 37 C.F.R. §1.6(d).

  
Jessica W. Smith, Reg. No. 39,884

Dear Commissioner:

In response to the Final Office Action ("Office Action") dated July 9, 2004, Applicant respectfully requests entry of the following amendment to the claims under 37 C.F.R. §1.116 on the grounds that the amendment places the application in condition for allowance.